

GRANT OF EASEMENT

~~OCTOBER~~ THIS INDENTURE, made and entered into this 7<sup>TH</sup> day of May, 1983, by TALLMAN & McDONALD CONSTRUCTION CORPORATION of Whitefish, Montana, as GRANTOR, and the CITY OF WHITEFISH, a municipal corporation of Montana, as GRANTEE, whose mailing address is P.O. Box 158, Whitefish, Montana.

**W I T N E S S E T H :**

That for value received, receipt of which is hereby acknowledged, the Grantor hereby grants, sells and conveys unto the Grantee, its successors and assigns, a perpetual public easement over, across and through the following described land situated in the City of Whitefish, Flathead County, Montana, which said easement and lands are described as follows, to-wit:

An easement for the establishment of a public walkway and bicycle riding path over, across and through a 6 foot strip of land commencing at a point on the South boundary line of that certain sewer line easement owned by the Grantee approximately 25 feet North of the North boundary line of Block 40, Original Townsite of Whitefish, Montana, and approximately 25 feet East of the Whitefish River; thence in a Southeasterly direction over, across and through and meandering the Southwesterly part of said Block 40 along the Whitefish River bank to the Southeasterly point of said Block 40, the precise and exact location of said easement within and along the Southwesterly boundary of said Block 40 to be determined by the Grantor and Grantee; and thence any construction of said walkway and bicycle path hereafter by the Grantor shall evident the permanent site and location of said easement.

TO HAVE AND TO HOLD the said easement unto said Grantee, its successors and assigns forever.

IN WITNESS WHEREOF, the Grantor has hereunto caused its corporate name to be subscribed by its proper officers thereunto duly authorized and its corporate seal duly affixed the day and year first above written.

TALLMAN & McDONALD CONSTRUCTION CORPORATION

By

President

Secretary

That for value received, receipt of which is hereby acknowledged, the Grantor hereby grants, sells and conveys unto the Grantee, its successors and assigns, a perpetual public easement over, across and through the following described land situated in the City of Whitefish, Flathead County, Montana, which said easement and lands are described as follows, to-wit:

An easement for the establishment of a public walkway and bicycle riding path over, across and through a 6 foot strip of land commencing at a point on the South boundary line of that certain sewer line easement owned by the Grantee approximately 25 feet North of the North boundary line of Block 40, Original Townsite of Whitefish, Montana, and approximately 25 feet East of the Whitefish River; thence in a Southeasterly direction over, across and through and meandering the Southwesterly part of said Block 40 along the Whitefish River bank to the Southeasterly point of said Block 40, the precise and exact location of said easement within and along the Southwesterly boundary of said Block 40 to be determined by the Grantor and Grantee; and thence any construction of said walkway and bicycle path hereafter by the Grantor shall evident the permanent site and location of said easement.

TO HAVE AND TO HOLD the said easement unto said Grantee, its successors and assigns forever.

IN WITNESS WHEREOF, the Grantor has hereunto caused its corporate name to be subscribed by its proper officers thereunto duly authorized and its corporate seal duly affixed the day and year first above written.

TALLMAN & McDONALD CONSTRUCTION  
CORPORATION

By

President

Secretary

STATE OF MONTANA )

: ss

County of Flathead )

On this 17<sup>TH</sup> day of May, 1983, before me, a Notary Public for said State, personally appeared RICHARD F. McDONALD and WAYNE K. SHADMAN, known to me to be the president and secretary respectively of the corporation that executed this instrument and acknowledged to me that such corporation executed the same.

Walter M. Wilson  
Notary Public for the State of Montana  
Residing at Whitefish, Montana  
My Commission expires: 8-26-86

250 287

11/11/83

BOOK 783 PAGE 624

STATE OF MONTANA,

County of Flathead

Filed for record at the request of Len Fisher

this 13 day of Oct 19 83 at 10:32 o'clock A M and recorded in VOL. 285

PAGE 623 Records of Flathead County, State of Montana.

Fee \$        Pd.

Linn L. Hindman  
Flathead County Clerk and Recorder

RECEPTION NO. 83-19062

RETURN TO

City of Whitefish

Box 158 Whitefish Mt 59937

Deputy

COMPARED